

REMARKS

The claims have been amended as needed, both as to form and so as to sharpen their definition of the invention relative to the applied references.

Reconsideration is accordingly respectfully requested, for the rejection of the claims as anticipated by or unpatentable over MARAYAMA et al. EP 0 831 384, alone or in view of DE SOUSA et al. WO 97/37693.

The device of claim 1 and the process of claim 5 differ from MARAYAMA et al. and DE SOUSA et al. in the integration of storage means for diffusing perfumes that are adapted to receive a control algorithm by downloading from an electronic device.

The word "algorithm" is commonly defined as a procedure or series of steps that can be used to solve a problem. In computer science, it describes the logical sequence of operations to be performed by a program. (Computer dictionary <http://www.tiscali.co.uk/reference/dictionaries/computers/data/m0005756.html>) Most programs, with the exception of some artificial intelligence applications, consist of algorithms, and conversely, the notion of an algorithm is basic to all of computer programming. So by algorithm downloading, the applicants refer to software downloading as stated in page 6, line 14.

Furthermore, according to the invention, the stage for implementing the control algorithm comprises different steps (page 2, line 29 to page 3, line 5) in contradiction to a signal

that only induces activation of different steps. Thus, by using the term "algorithm" as a step-by-step procedure for the control of the device for diffusing perfumes, applicants confirm that downloading algorithm refers to software downloading and not to a signal reception as the input control signal (column 5, line 52) or the audiovisual stimuli (column 5, line 54) of the reference MARAYAMA et al.

In DE SOUSA et al., the device for diffusing perfumes is incorporated in a TV set and its function is initialed or stopped by a signal coming from outside equipment. This sort of device implicitly has an algorithm for controlling its working. But there are no references to such an algorithm or a corresponding storing means and the ability to receive this algorithm by downloading.

The MURAYAMA et al. reference discloses a device for diffusing perfumes in synchronism with information presented to a user. Signals can be stored in a controller and activate the release of aroma, a combination of scents or an aroma-removing agent (column 5, lines 19-27). It should be noted that stored signals are used only for invalidating the effect of an existing aroma. This device can be connected to a personal computer (column 5, line 51) or a television set (column 6, line 31). But there is no mention of an ability of this device to receive a controlling algorithm by downloading.

Thus, claims 1 and 5 of the above-mentioned application are new with regard to the MARAYAMA et al. and DE SOUSA et al. references.

As to obviousness, MURAYAMA et al. can be considered as the closest prior art.

The invention defined by claims 1 and 5 aims to solve the problem of adaptability of a device for diffusing perfumes with different kinds of electronic materials. In fact, those devices are generally manufactured for interaction with a limited number of delivering information materials.

The control algorithm stored in existing devices for diffusing perfumes is adapted to a given group of signals sharing the same coding data (as seen in MURAYAMA et al., column 6, lines 23-25). Thus, those device are limited to their function to a small group of electronic devices.

The invention in accordance with amended claims 1 and 5 allows, in particular thanks to means for storing adapted to receive a control algorithm downloaded from electronic equipment, the use of different electronic devices with different formats or coding data.

None of the applied references discloses or refers to the use of storage means adapted to receive a control algorithm downloaded from electronic equipment; so no combination of documents is able to suggest the invention claimed, to a person skilled in the art.

It is not obvious to use software downloading to allow a large adaptability of the invention to all kinds of supports, to free itself from the limits imposed by construction.

Although the use of software downloading is known for computer or electronic equipment, there is no reference to downloadable software adapted to control this sort of device according to the data displayed.

Consequently, the invention involves an inventive step over MURAYAMA et al. and DE SOUSA et al.

As the amended claims bring out these distinctions with ample particularity, it is believed that they are all patentable.

In view of the present amendment and the foregoing remarks, therefore, it is believed that this application has been placed in condition for allowance, and reconsideration and allowance are respectfully requested.

The Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 25-0120 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17.

Respectfully submitted,

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